

CLOSED, ECF

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-04647-GBD

Paulino v. New York Pressmen's Union Number Two et al
Assigned to: Judge George B. Daniels
Similar Case: 1:06-cv-00053-GBD
Cause: 29:412 Labor Management Relations Act

Date Filed: 05/12/2005
Date Terminated: 01/31/2006
Jury Demand: Plaintiff
Nature of Suit: 720 Labor: Labor/Mgt.
Relations
Jurisdiction: Federal Question

Plaintiff

Daniel Paulino

represented by **Neil Michael. Frank**
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V.

Defendant

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Defendant

NYP Holdings, Inc.
TERMINATED: 10/04/2005
doing business as
New York Post
TERMINATED: 10/04/2005

represented by **Adam Jonathan Heft**
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Defendant

Pressman's Publishers' Benefits Fund

Date Filed	#	Docket Text
05/12/2005	<u>1</u>	COMPLAINT against New York Pressmen's Union Number Two, The New York Post. (Filing Fee \$ 250.00, Receipt Number 543047) Document filed by Daniel Paulino.(mo,) Additional attachment(s) added on 5/17/2005 (laq,). (Entered: 05/12/2005)
05/12/2005		SUMMONS ISSUED as to New York Pressmen's Union Number Two, The New York Post. (mo,) (Entered: 05/12/2005)
05/12/2005		Case Designated ECF. (mo,) (Entered: 05/12/2005)
05/12/2005		Magistrate Judge Michael H. Dolinger is so designated. (mo,) (Entered: 05/12/2005)
05/17/2005	<u>2</u>	ORDER RE INITIAL PRETRIAL CONFERENCE: Initial Conference set for 8/3/2005 09:30 AM before Judge George B. Daniels, in courtroom 618, 40 Foley Sq. (Signed by Judge George B. Daniels on 5/13/05) (cd,) (Entered: 05/18/2005)
06/24/2005	<u>3</u>	NOTICE of Appearance by Barry I Levy on behalf of New York Pressmen's Union Number Two (Levy, Barry) (Entered: 06/24/2005)
06/24/2005	<u>4</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION for Extension of Time (Letter to Judge Daniels Requesting Execution of Stipulation Extending defendant, Local No. 2's Time to Answer or Move to July 22, 2005). Document filed by New York Pressmen's Union Number Two. (Attachments: # <u>1</u> Exhibit

		Stipulation Executed by Counsel for Plaintiff and Local No. 2)(Levy, Barry) Modified on 6/27/2005 (kg,). (Entered: 06/24/2005)
06/27/2005		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Barry I. Levy to MANUALLY RE-FILE Document No. 4 Letter. This document is not filed via ECF. (kg,) (Entered: 06/27/2005)
07/06/2005	5	AMENDED COMPLAINT amending 1 Complaint against New York Pressmen's Union Number Two, The New York Post.Document filed by Daniel Paulino. Related document: 1 Complaint filed by Daniel Paulino,. (sac,) (Entered: 07/07/2005)
07/06/2005		Set Answer Due Date purs. to 5 Amended Complaint as to New York Pressmen's Union Number Two answer due on 7/20/2005; The New York Post answer due on 7/20/2005. (sac,) (Entered: 07/07/2005)
07/28/2005	6	STIPULATION AND ORDER, New York Pressmen's Union Number Two answer due 8/1/2005; The New York Post answer due 8/1/2005. (Signed by Judge George B. Daniels on 7/18/05) (sac,) (Entered: 07/29/2005)
08/01/2005	7	MOTION to Dismiss <i>and for Summary Judgment</i> . Document filed by New York Pressmen's Union Number Two. Responses due by 8/17/2005 Return Date set for 8/22/2005 09:30 AM. (Attachments: # 1 Exhibit Rule 56.1 Statement# 2 Affidavit Declaration of John Heffernan# 3 Exhibit Exhibit A to Heffernan Declaration# 4 Affidavit Declaration of Joseph Vincent# 5 Exhibit Exhibit A to Vincent Declaration# 6 Affidavit Declaration of Robert Costello# 7 Exhibit Exhibit A Costello Declaration# 8 Exhibit Exhibit B Costello Declaration# 9 Exhibit Exhibit C Costello Declaration# 10 Exhibit Exhibit D to Costello Declaration# 11 Exhibit Exhibit E to Costello Declaration# 12 Exhibit Exhibit F to Costello Declaration)(Levy, Barry) (Entered: 08/01/2005)
08/02/2005	8	BRIEF <i>In Support of Defendant's Motion to Dismiss and for Summary Judgment</i> . Document filed by New York Pressmen's Union Number Two. (Attachments: # 1 Exhibit Exhibit A to Memo# 2 Exhibit Exhibit B to Memo)(Levy, Barry) (Entered: 08/02/2005)
08/02/2005	9	MEMORANDUM OF LAW in Support re: 7 MOTION to Dismiss <i>and for Summary Judgment</i> .. Document filed by New York Pressmen's Union Number Two. (jmi,) (Entered: 08/03/2005)
08/05/2005	10	STIPULATION AND ORDER the time for the defendant NYP Holdings to answer plaintiff's summons and amended complaint in this action is extended to 8/15/05. So Ordered. (Signed by Judge George B. Daniels on 8/4/05) (jco,) (Entered: 08/08/2005)
08/05/2005		Set Answer Due Date purs. to 10 Stipulation and Order as to The New York Post answer due on 8/15/2005. (jco,) (Entered: 08/08/2005)
08/08/2005	11	NOTICE of Appearance by Michael Gordon Starr on behalf of The New York Post (Starr, Michael) (Entered: 08/08/2005)

08/08/2005	<u>12</u>	NOTICE of Appearance by Adam Jonathan Heft on behalf of The New York Post (Heft, Adam) (Entered: 08/08/2005)
08/15/2005	<u>13</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by The New York Post.(Heft, Adam) (Entered: 08/15/2005)
08/15/2005	<u>14</u>	ANSWER to Amended Complaint. Document filed by The New York Post. Related document: 5 Amended Complaint filed by Daniel Paulino,. (Heft, Adam) (Entered: 08/15/2005)
08/15/2005	<u>17</u>	STIPULATION: the time for defendant NYP Holdings, Inc. (d/b/a New York Post - misidentified as "The New York Post") to answer, move or otherwise respond to the amended complaint is extended to 8/15/05. (Signed by Judge George B. Daniels on 8/15/05) (db,) (Entered: 08/16/2005)
08/15/2005		Set Answer Due Date purs. to <u>17</u> Stipulation and Order, as to NYP Holdings, Inc. answer due on 8/15/2005. (db,) (Entered: 08/16/2005)
08/16/2005	<u>15</u>	STATUS REPORT. <i>Respectfully requests</i> Document filed by Daniel Paulino.(Frank, Neil) (Entered: 08/16/2005)
08/16/2005	<u>16</u>	NOTICE of Appearance by Jordan Lippner on behalf of The New York Post (Lippner, Jordan) (Entered: 08/16/2005)
08/16/2005	<u>18</u>	ENDORSED LETTER addressed to Judge Daniels from Neil M. Frank dated 8/11/05 re: counsel equests an adjournment of initial conference - to 09/21/05; an extension of the response to Defendant NY Printing Pressman's Union Local 2's, motion to dismiss and for summary judgment from August 17, 2005 to August 31, 2005, with defendant's reply to be served and filed on Sept. 9, 2005. An adjournment of return date from August 22, 2005 to September 9, 2005; Granted. (Signed by Judge George B. Daniels on 8/15/05) (djc,) Additional attachment(s) added on 8/17/2005 (djc,). (Entered: 08/17/2005)
08/16/2005		Set/Reset Deadlines as to <u>7</u> MOTION to Dismiss <i>and for Summary Judgment</i> .. Responses due by 8/31/2005 Replies due by 9/9/2005. (djc,) (Entered: 08/17/2005)
08/31/2005	<u>19</u>	RESPONSE in Opposition re: <u>7</u> MOTION to Dismiss <i>and for Summary Judgment</i> .. Document filed by Daniel Paulino. (Attachments: # <u>1</u> Plaintiff;s 56.1 Counterstatement of Material Facts# <u>2</u> Declaration of Neil M. Frank# <u>3</u> Affidavit of Daniel Paulino)(Frank, Neil) (Entered: 08/31/2005)
08/31/2005	<u>20</u>	MOTION to Add Party(ies) PRESSMEN'S PUBLISHERS' BENEFITS FUND. Document filed by Daniel Paulino. (Frank, Neil) (Entered: 08/31/2005)
08/31/2005	<u>21</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Amend/Correct FIRST AMENDED COMPLAINT. Document filed by Daniel Paulino. (Frank, Neil) Modified on 9/7/2005 (kg). (Entered: 08/31/2005)

09/06/2005	<u>22</u>	MOTION to Amend/Correct First Amended Complaint. Document filed by Daniel Paulino. (Attachments: # 1 Second Amended Complaint) (Frank, Neil) (Entered: 09/06/2005)
09/09/2005	<u>23</u>	ENDORSED LETTER addressed to Judge Daniels from Barry Levy dated 9/7/05: granting deft request to be permitted until 9/21/05 to file any additional papers re the motion for summary judgment and the cross motion to amend. (Signed by Judge George B. Daniels on 9/8/05) (cd,) (Entered: 09/12/2005)
09/21/2005		Minute Entry for proceedings held before Judge George B. Daniels : Interim Pretrial Conference held on 9/21/2005. Next PTC scheduled for 11/16/05 @10:00 a.m. (pl,) (Entered: 09/26/2005)
09/23/2005	<u>24</u>	DECLARATION of Michael Tortora in Opposition re: <u>22</u> MOTION to Amend/Correct <i>First Amended Complaint.</i> , <u>7</u> MOTION to Dismiss <i>and for Summary Judgment.</i> .. Document filed by New York Pressmen's Union Number Two. (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit # 4 Exhibit)(Levy, Barry) (Entered: 09/23/2005)
09/23/2005	<u>25</u>	DECLARATION of Roger Carbo in Opposition re: <u>22</u> MOTION to Amend/Correct <i>First Amended Complaint.</i> , <u>7</u> MOTION to Dismiss <i>and for Summary Judgment.</i> .. Document filed by New York Pressmen's Union Number Two. (Attachments: # 1 Exhibit # 2 Exhibit)(Levy, Barry) (Entered: 09/23/2005)
09/23/2005	<u>26</u>	SUPPLEMENTAL MEMORANDUM OF LAW in Opposition re: <u>22</u> MOTION to Amend/Correct <i>First Amended Complaint.</i> , <u>7</u> MOTION to Dismiss <i>and for Summary Judgment.</i> .. Document filed by New York Pressmen's Union Number Two. (Levy, Barry) (Entered: 09/23/2005)
10/03/2005	<u>27</u>	ORDER: plaintiffs motion to withdraw his claim against defendant, the New York Post, is GRANTED. (Signed by Judge George B. Daniels on 9/30/05) (db,) (Entered: 10/04/2005)
10/04/2005	<u>28</u>	STIPULATION AND ORDER OF DISMISSAL; all claims that were or could have been asserted against the Post in this action shall be dismissed with prejudice, purs. to Rule 41(a) of the FRCP. (Signed by Judge George B. Daniels on 10/4/05) (dle,) (Entered: 10/05/2005)
10/20/2005	<u>29</u>	REPLY to Response to Motion re: <u>22</u> MOTION to Amend/Correct <i>First Amended Complaint.</i> , <u>7</u> MOTION to Dismiss <i>and for Summary Judgment.</i> .. Document filed by Daniel Paulino. (Frank, Neil) (Entered: 10/20/2005)
10/21/2005	<u>30</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION to Vacate Order. Document filed by Daniel Paulino. (Attachments: # 1)(Frank, Neil) Modified on 10/25/2005 (kg). (Entered: 10/21/2005)
10/25/2005		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Neil M. Frank to MANUALLY RE-FILE Document No. 30 Letter. This document is not filed via ECF.

		(kg) (Entered: 10/25/2005)
10/31/2005	<u>31</u>	REPLY to Response to Motion re: <u>7</u> MOTION to Dismiss <i>and for Summary Judgment. Letter Response to Plaintiff's October 17, 2005 Letter Opposition/Reply.</i> Document filed by New York Pressmen's Union Number Two. (Levy, Barry) (Entered: 10/31/2005)
11/18/2005	<u>32</u>	ENDORSED LETTER addressed to Judge George B. Daniels from Neil M. Frank dated 11/17/05 re: Counsel writes to confirm that the conference be rescheduled to 12/14/05 at 10:00 a.m. So Ordered. (Signed by Judge George B. Daniels on 11/18/05) (jco,) (Entered: 11/18/2005)
12/14/2005	<u>33</u>	ORDER granting <u>20</u> Motion to Add Party(ies) Pressman's Publishers' Benefits Fund. (Signed by Judge George B. Daniels on 12/14/05) (db,) (Entered: 12/14/2005)
12/14/2005	<u>34</u>	ORDER: for reasons further set forth the clerk of the court is directed to remove the plaintiffs' <u>20</u> and <u>22</u> Motions from the Court's Docket. (Signed by Judge George B. Daniels on 12/14/05) (db,) (Entered: 12/15/2005)
12/14/2005	<u>35</u>	ORDER: plaintiffs' <u>22</u> Motion to amend is DENIED without prejudice. (Signed by Judge George B. Daniels on 12/14/05) (db,) (Entered: 12/15/2005)
12/14/2005	<u>36</u>	ORDER: for reasons further set forth, the Clerk of the Court is directed to remove defendants <u>7</u> Motion from the Docket. (Signed by Judge George B. Daniels on 12/14/05) (db,) (Entered: 12/15/2005)
12/14/2005		Minute Entry for proceedings held before Judge George B. Daniels : Initial Pretrial Conference held on 12/14/2005. Initial Conference set for 3/1/2006 09:45 AM before Judge George B. Daniels. (sac,) (Entered: 01/03/2006)
12/21/2005	<u>37</u>	TRANSCRIPT of proceedings held on 9/21/05 before Judge George B. Daniels. (jno,) (Entered: 12/21/2005)
01/18/2006	<u>38</u>	TRANSCRIPT of proceedings held on 12/14/05 before Judge George B. Daniels. (lma,) (Entered: 01/18/2006)
01/25/2006	<u>39</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - JOINT MOTION to Dismiss Plaintiff's Complaint in Paulino v. Local No. 2, et. al., Docket No.: 06-0053, Directing Plaintiff to File a Proposed Third Amended Complaint in this Action by 1-27-06 and Affording Defendants until 2-10-06 to File Supplemental Papers Opposing the Proposed Third Amended Complaint (LETTER). Document filed by New York Pressmen's Union Number Two. (Levy, Barry) Modified on 1/27/2006 (kg). (Entered: 01/25/2006)
01/27/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Barry Levy to MANUALLY RE-FILE Document No. <u>39</u> Letter. This document is not filed via ECF. (kg) (Entered: 01/27/2006)

01/31/2006	40	ORDER; this case is dismissed. (Signed by Judge George B. Daniels on 1/30/06) (kco,) (Entered: 01/31/2006)
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